



MARCH 8 - 12, 2004 ST. PAUL, MINNESOTA

James B. Loken, Chief Judge - Minneapolis, Minnesota

Circuit Judges in Active Service

**Roger L. Wollman - Sioux Falls, SD
Morris S. Arnold - Little Rock, AR
Diana E. Murphy - Minneapolis, MN
Kermit E. Bye - Fargo, ND
William Jay Riley - Omaha, NE
Michael J. Melloy - Cedar Rapids, IA
Lavenski R. Smith - Little Rock, AR
Steven M. Colloton - Des Moines, IA**

Circuit Judges Who Have Taken Senior Status

**Donald P. Lay - St. Paul, MN
Gerald W. Heaney - Duluth, MN
Myron H. Bright - Fargo, ND
Theodore McMillian - St. Louis, MO
Richard S. Arnold - Little Rock, AR
John R. Gibson - Kansas City, MO
George G. Fagg - Des Moines, IA
Pasco M. Bowman - Kansas City, MO
Frank J. Magill - Fargo, ND
C. Arlen Beam - Lincoln, NE
David R. Hansen - Cedar Rapids, IA**

NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

Court will be held in the Warren E. Burger Federal Building at 316 N. Robert Street, St. Paul, Minnesota. Counsel presenting oral argument should report to the Clerk's Office, Room 500, 30 minutes before Court convenes.

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Appearance forms of counsel, if not previously submitted, must be completed and forwarded immediately to the clerk's office. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless appointed to represent a party proceeding in forma pauperis.

The time allotted for each side's argument is noted to the right of the case. ***Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.***

Michael E. Gans
Clerk of Court

www.ca8.uscourts.gov

Updated 3/5/04

DIVISION I

MONDAY, MARCH 8, 2004, BEGINNING AT 9:00 A.M. BEFORE JUDGES WOLLMAN, M. ARNOLD, COLLOTON

JAB

1.	03-1489MN	Qwest Corporation v. WorldCom, Inc., et al.	20
2.	03-3336MN	United States v. Michael S. Czichray	15
3.	03-2181MN	United States v. Shaun Emery White	15
4.	03-2554MN	Robert E. Mattke, et al. v. Mayo Clinic etc., et al.	10
5.	03-3069SD	United States v. Timothy Red Elk	15

TUESDAY, MARCH 9, 2004 BEGINNING AT 9:00 A.M. BEFORE JUDGES WOLLMAN, M. ARNOLD, COLLOTON

JMB

1.	03-3221SD	United States v. J. W. T.	15
2.	03-3047SD	United States v. James Grap	15
3.	03-3342SD	United States v. Lon Syhavong, etc.	15
4.	03-2780MN	United States v. Antoinette Rose Florez	15

03-2626MN United States v. Joe Daniel Robinson **NO ARG**

03-2437MN United States v. Raul Arthuro
Gomez-Valdez **REMOVED**

DIVISION I

**WEDNESDAY, MARCH 10, 2004 BEGINNING AT 9:00 A.M.
BEFORE JUDGES SMITH, HANSEN, COLLOTON**

JAB

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|----|-----------|---|----|
| 1. | 03-2347MN | The Alliance Insurance Company, et al.
v. Glenn R. Wilson, Jr., etc. | 15 |
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BEFORE JUDGES WOLLMAN, HANSEN, COLLOTON

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|----|-----------|--|---------------|
| 2. | 03-2187ND | Irene Cudworth, et al. v. Midcontinent
Communications, et al. | 15 |
| | 03-2984MN | United States v. Edward Lee May | NO ARG |
| | 03-2486MN | Frank Mendoza v. State of Minnesota | NO ARG |
| 3. | 03-3337MN | United States v. Duane Frederick Fisher | 10 |
| | 03-2811SD | United States v. Jennifer Pierce, etc. | NO ARG |

**THURSDAY, MARCH 11, 2004, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, FAGG, HANSEN**

JAB

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|----|-----------|---|---------------|
| 1. | 03-2608NE | Joseph Tyma v. The City of Grand Island, etc. | 15 |
| 2. | 03-2541SI | Scott Hendriks v. City of Muscatine, et al. | 15 |
| | 03-2219NI | Monica Miller v. Wells Dairy Inc., etc. | NO ARG |
| 3. | 03-3079SI | United States v. Everette Laverne Haines | 15 |
| 4. | 02-3942 | Benjamin Agada v. John Ashcroft, etc. | 15 |

DIVISION I

**FRIDAY, MARCH 12, 2004, BEGINNING AT 8:30 A.M.
BEFORE JUDGES WOLLMAN, FAGG, HANSEN**

			JAB
1.	03-1970	Fernando Lopez-Flores v. Department of Homeland Security, et al.	15
2.	03-2123NI	Eden Electrical, Ltd. v. Amana Company, etc., et al.	
	03-2188NI	Eden Electrical, Ltd. v. Amana Company, etc., et al.	15
	02-3850	Inocente Martinez Ortiz v. John Ashcroft, etc.	NO ARG
3.	03-3075NI	Steve R. Faber v. Menard, Inc.	15
4.	02-4074	Xidan Tang v. John Ashcroft, etc.	15

DIVISION II

**MONDAY, MARCH 8, 2004, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, HEANEY, SMITH**

			CYZ
1.	03-1543SI	United States v. Bart Edward Underwood	
	03-1982SI	United States v. Duane Carl Carpenter	
	03-2716SI	United States v. Gayle Jean Steele, etc.	
	03-2901SI	United States v. Gayle Jean Steele, etc.	30
2.	03-2662ND	Larry D. Armstrong, et al. v. United States	15
3.	03-1327SI	One Thousand Friends of Iowa v. Norman Y. Mineta, et al.	15
4.	03-2957NI	United States v. Maurice Morehead	15
	03-3114ND	United States v. William Duran See Walker, etc.	NO ARG

**TUESDAY, MARCH 9, 2004, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, HEANEY, SMITH**

			CYZ
1.	03-2321SI	United States v. Jose Mendoza-Gonzalez	15
	03-3311NI	United States v. Mario Medina-Hernandez	NO ARG
2.	03-3271SI	United States v. Francisco Ureno Guerrero	15
3.	03-1746NI	United States v. Miguel Carrillo	15
	03-2711NI	United States v. Rogelio Perez Sanchez	NO ARG
4.	03-3324NI	United States v. Robert Rae Ramirez	15

DIVISION II

**WEDNESDAY, MARCH 10, 2004, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, HEANEY, MURPHY**

JMB

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|----|-----------|--|----|
| 1. | 03-1788SI | Mary Louise Duncan v. Jo Anne B.
Barnhart, etc. | 15 |
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BEFORE JUDGES MURPHY, HEANEY, SMITH

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| | 03-1868NI | Jose M. Ortiz v. Fort Dodge Correctional
Facility, et al. | NO ARG |
| 2. | 03-2518MN
03-2519MN | United States v. Dwayne Travoy Dillard
United States v. Ashley Nehemiah Scaife | 15 |
| | 03-2978NI | United States v. Duane "Red" Clasen | NO ARG |
| 3. | 03-3133NI | United States v. Daniel John Marshall | 15 |
| 4. | 03-2942NI | United States v. Thomas Eugene Mills, Jr. | 15 |

**THURSDAY, MARCH 11, 2004, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, SMITH, COLLOTON**

CYZ

- | | | | |
|----|------------------------|--|----|
| 1. | 03-1493 | Manuel Admin Chay-Velasquez v.
John Ashcroft, etc. | 15 |
| 2. | 03-2410MN
03-2415MN | Jay Syverson v. Firepond, Inc., etc., et al.
George Flora v. Firepond, Inc., etc., et al. | 20 |
| 3. | 03-2859MN | United States v. Anthony Augustine Lucca | 15 |
| 4. | 03-2883 | Joseph P. McGraw v. Commissioner of
Internal Revenue | 15 |
| 5. | 03-3275ND | United States v. Robert F. Lippman | 15 |

DIVISION II

**FRIDAY, MARCH 12, 2004, BEGINNING AT 8:30 A.M.
BEFORE JUDGE MURPHY, SMITH, COLLOTON**

CYZ

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|----|-----------|--|---------------|
| 1. | 02-2894MN | The Coca-Cola Company, et al. v.
William S. Purdy, et al. | |
| | 03-1795MN | Coca-Cola Company, et al. v. William
S. Purdy, et al. | |
| | 03-1929MN | Coca-Cola Company, et al. v. William
S. Purdy, et al. | 20 |
| 2. | 03-3064SD | United States v. Bruce Thunder Horse | 15 |
| | 02-4048 | Samuel Nehemia v. John Ashcroft, etc. | NO ARG |
| 3. | 03-1671 | Keo Chanmouny v. John Ashcroft, etc. | 15 |